

From: Joe Wright
To: Microsoft ATR
Date: 1/23/02 12:45pm
Subject: MICROSOFT SETTLEMENT

To Whom It May Concern:

I'm writing to oppose the antitrust case against Microsoft. Antitrust contradicts the free enterprise system and is a violation of the rights of business owners, their stockholders and consumers.

No one is or ever has been forced to buy Microsoft products. And no one at Microsoft has forcibly stopped anyone from buying non-Microsoft products. There is a free market in software though Microsoft's competitors would like you to believe otherwise.

Consider the fact that, if I'm looking for an operating system I have a choice of Apple, OS/2, Unix and Linux among others. For word processing, I have Wordperfect and others. For web browsing, I can still get Netscape or use AOL's juvenile interface. In fact I use Netscape and like it better than MS-Internet Explorer.

Microsoft is being prosecuted for monopoly. Yet not so long ago, Netscape had 100% of the browser market and the antitrust warriors did nothing about it. If 80% or 90% of a market is considered monopolistic, than why wasn't 100%? But that would be assuming a degree of rationality and logic that is unknown to antitrust.

Of course what Netscape really had is what Microsoft now has: market dominance. As soon as IE came on the market, consumers voted with their dollars and chose it over Netscape to the point that IE became the dominant product and Netscape fell so far by the wayside that it basically went out of business, to be "saved" by AOL. Did Microsoft force it out of business? No. The sum total of consumer choices in the free market put it out of business.

Instead of focusing on, filing suits against and lobbying antitrust officials to charge Microsoft with evil acts, the gang of competitors should look at their own failure to penetrate the market. Instead of griping and enlisting the power of the government to punish Microsoft for succeeding, they should look at the reasons for their own failure. And they are failures. They put products, software and services on the market in competition with Microsoft. The market voted with it's dollars and they lost. They are losers, not because of some alleged Microsoft skullduggery, but because of the market rejected them. The market considered Microsoft products superior and theirs inferior.

That's the American way. But the cabal composed of loser competitors and money grubbing attorneys general would like to subvert this system

and impose force and regulation upon the free market. They want to deny Microsoft's rights to produce a product and present it to the market for sale. They want to deny consumer's rights to buy Microsoft's products on a free market. They want to force products on the market which have already been rejected by the market.

Sun Microsystems, Netscape, Oracle and now AOL want to use the predatory power of government to skew the market in their favor. They want the government to protect them from the free market. They have no interest in being competitive. They're doing all they can to get a competitor, Microsoft, choked to death by antitrust. Strangely, this is not considered a violation of the antitrust laws. It is not even considered bad conduct. In fact these are praised by many, including such institutions as the vaunted New York Times. But that's the nature of antitrust: contradiction and irrationality. When one company does something, it is praiseworthy; when another company does exactly the same thing, it is accused of being a criminal.

In fact, neither the losers nor the attorneys general believe in a free market at all. What they believe in is fascism, a political system in which there is nominal ownership of property, but under which decisions about the use of the property are made by the government. The political system in the USA today is a peculiar admixture of fascism and socialism, not the republic of limited government power that the Founders designed.

A monopoly exists only when a company has the power to prohibit competition. The only way any company can gain that kind of power is through the power of government via regulations, exclusive licensing arrangements, tariffs and taxes. No company can achieve, much less maintain, a monopoly on the free market, without assistance from the government. No company ever has and no company ever will.

Take the case of AT&T prior to de-regulation and divestiture. This was a classic case of monopoly. The arrangement AT&T had with the local, state and federal governments was such that it was illegal to sell competing products and it was illegal to connect them should you somehow obtain them. You couldn't even provide an alternative telephone directory without violating the law. There were many companies capable of providing telephones and telephone service and many who wanted to. But it was illegal for them to do so. Competition with AT&T was prohibited by law.

In no way is Microsoft like pre-deregulated, pre-divested AT&T. In no way is Microsoft a monopolist.

A company may attain market dominance through offering better products and/or lower priced products, by providing better customer service and by being aggressively competitive. But that's not monopolization. Any

other company is free to produce a better product, provide better service, charge lower prices and be even more aggressively competitive and itself become the dominant company. That's the way the free enterprise system works.

Antitrust is a notorious contradiction of the principles of free enterprise involving violations of property rights on a massive scale. The history of antitrust is one of incredible irrationality and injustice. Rather than continue this immoral course of action, it should be stopped dead. Antitrust laws should be repealed.

For all the reasons cited above, I oppose the imposition of any penalties on Microsoft. They have done nothing wrong, they have violated no one's rights, they have broken no legitimate law. The case should be thrown out of court.

Sincerely,

Joe Wright
81 Irving Place - Apt. 6G
New York, NY 10003
Tel: 212-244-5488 x134